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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 10-268 (MHP)
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	PROTECTIVE ORDER RE: DISCOVERY
v.	)	OF FINANCIAL ACCOUNT AND
	)	IDENTITY INFORMATION
JOSEPH J. PUGLIESE,	)	
	)	
Defendant.	)	

Defendant Joseph J. Pugliese is charged with mail fraud conspiracy, in violation of Title 18, United States Code, Section 1349. The United States will produce to counsel for the defendant discovery consisting of business records, financial institution records, law enforcement reports, and other records and documents. Included within this discovery is bank account information (including account numbers) and personal identity information (including, for example, names, dates of birth, social security numbers, and driver's license numbers). Because of the substantial amount of financial account and personal identity information to be produced in this case, and pursuant to Federal Rule of Criminal Procedure 16(d), the parties stipulate, and the hereby Court orders, that disclosure of these materials shall be subject to the following restrictions:

STIPULATION AND ~~[PROPOSED]~~ INTERIM  
PROTECTIVE ORDER [CR 10-268 (MHP)]

1           1.     Except when being actively examined for the purpose of the preparation of the  
2 defense, all discovery containing financial account and personal identity information produced  
3 by the United States to counsel for the defendant shall be maintained in an area that is accessible  
4 only to defense counsel or other attorneys and employees of counsel's law office. Defense  
5 counsel shall not permit any person access of any kind to the discovery except as set forth below.

6           2.     The following individuals may examine the discovery for the purpose of  
7 preparing the defense:

8           (a)    Counsel for the defendant, and any other attorneys, paralegals, or  
9 investigators in counsel's law office;

10          (b)    The defendant, but only in the presence of defendant's counsel; and

11          (c)    Any outside expert retained by the defense to analyze the discovery in this  
12 matter.

13          3.     A copy of this Order shall be maintained with the discovery at all times.

14          4.     No other person may be allowed to examine the discovery without further court  
15 order.

16          5.     All pleadings will comply with Federal Rule of Criminal Procedure 49.1  
17 regarding redaction of certain identifying information.

18          6.     Within 30 days of the judgment and sentencing hearing in this matter, or within  
19 30 days of any other resolution of the case, all material provided to defense counsel pursuant to  
20 this Order, and all other authorized copies, if any, shall be returned to the United States. If an  
21 appeal is noticed and defense counsel continue to represent the defendant on appeal, defense

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counsel may continue to retain possession of the materials according to the terms of this Order until the conclusion of the matter in the Court of Appeals.

IT IS SO STIPULATED:

DATED: April \_\_, 2010

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/ \_\_\_\_\_  
Jeffrey Rabkin  
Assistant United States Attorney

DATED: April 20, 2010

/s/ \_\_\_\_\_  
M. Gerald Schwartzbach, Esq.  
Attorney for defendant Joseph J. Pugliese

IT IS SO ORDERED.

DATED: April 22, 2010

